

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver for  
Washington Mutual Bank,

Plaintiff,

Case No. 14-13706

v.

Hon. John Corbett O'Meara

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, Successor by Merger to  
Lawyers Title Insurance Corporation,

Defendant.

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**ORDER OVERRULING OBJECTIONS TO  
MAGISTRATE JUDGE'S ORDER**

Before the court are Defendant Fidelity National Title Insurance Company's objections to the magistrate judge's rulings on its motion to compel discovery. Plaintiff Federal Deposit Insurance Company and Non-Party JPMorgan Chase Bank submitted responses, to which Defendant replied. Defendant's objections relate to Magistrate Judge Mona K. Majzoub's March 24, 2017 opinion and order denying Defendant's motion to compel.

The court may modify or set aside any portion of the magistrate judge's order that is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A). See

also Fed. R. Civ. P. 72(a). “A finding is ‘clearly erroneous’ when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.” Anderson v. City of Bessemer City, 470 U.S. 564, 573 (1985) (quoting United States v. U. S. Gypsum Co., 333 U.S. 364, 395 (1948)). The court may not disturb the magistrate’s factual findings “even though convinced that had it been sitting as the trier of fact, it would have weighed the evidence differently.” Id. The court allows the magistrate’s legal conclusions to stand unless they are “contrary to law.” Gandee v. Glaser, 785 F. Supp. 684, 686 (S.D. Ohio 1992) aff’d, 19 F.3d 1432 (6<sup>th</sup> Cir. 1994).

Having reviewed the record and Defendant’s objections, the court finds that Magistrate Judge Majzoub’s March 24, 2017 order is neither clearly erroneous nor contrary to law.

Accordingly, IT IS HEREBY ORDERED that Defendant’s objections are OVERRULED.

s/John Corbett O’Meara  
United States District Judge

Date: June 1, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, June 1, 2017, using the ECF system.

s/William Barkholz  
Case Manager